

REMARKS

Claim 13 has been amended to include the limitations of cancelled claim 15. Please refer to Fig. 5 of the drawings.

Responsive to paragraph 2 of the office action, a Request for Approval of Drawing Changes” has today been filed as a separate paper and a copy is attached hereto.

The rejection for lack of enablement set forth in paragraph 6 of the office action, in so far as it might be applicable to the amended claims, is respectfully traversed. In any lack of enablement rejection, the initial burden is on the examiner to present “acceptable evidence or reasoning” why one skilled in the art could not practice the invention as broadly as claimed. *In re Mayhew*, 179 USPQ 42 (CCPA 1973). Here, the examiner has presented no evidence or reasoning why one skilled in the art would not be able to practice the invention as broadly as claimed. The broader practice of the invention as claimed is certainly within the level of skill in the art. Further, neither of the teachings cited by the examiner state that the application of the press bonding “only within the seating area” is either “critical” or “essential”. The first teaching mentioned by the examiner, at page 8, lines 8-13, relates only to the embodiment of Figs. 1 and 2 as is clear from a reading of page 8 in its entirety. The second teaching relied upon by the examiner, that at page 23, lines 9-16, relates to one of the fifteen advantages taught at pages 23-26 of the substitute specification. There is no precedent for the proposition that the invention must be limited to structure providing each and every “advantage” enumerated as deriving from

one or more of the preferred embodiments.

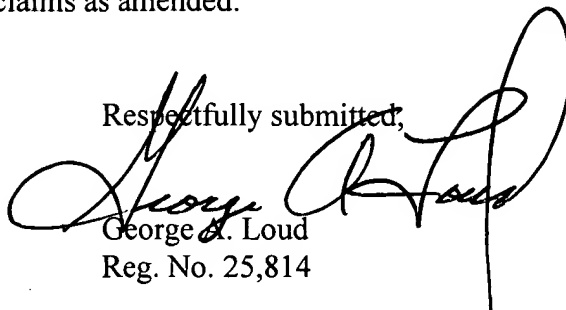
The rejection of claim 15 as being broader than the enabling disclosure is believed to be moot in view of the present amendments.

The rejection for indefiniteness as set forth in paragraph 9 of the office action is also traversed to the extent that it is not obviated by the present amendments. The omitted steps mentioned by the examiner are not described by the applicants as “essential.” The statute provides that the claims should define what the applicants regard as their invention, not what the examiner regards as an “essential” part of the invention. The definiteness requirement of 35 USC 112, second paragraph, has been construed as requiring no more than sufficient preciseness that one skilled in the art can determine what does and what does not fall within the scope of the claims, i.e., what does and what does not infringe. *In re Conley*, 180 USPQ 454 at 456 (CCPA 1974). In effect, what the examiner is requesting is a narrowing of the scope of the claims, but no amount of “breadth” can substantiate a rejection for indefiniteness under the second paragraph of 35 USC 112. *In re Goffe*, 188 USPQ 131 (CCPA 1975) and *Ex parte Scherberich*, 201 USPQ 397 (PTO Bd. App. 1977).

In view of the amendment of claim 13, the only pending independent claim, to include the substantive limitations of allowable claim 15, it is believed that the rejection for anticipation, as set forth in paragraph 11 of the office action, is thereby obviated.

In conclusion, it is respectfully requested that the examiner reconsider the rejections of record with a view toward allowance of the claims as amended.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "George A. Loud", is written over the typed name and registration number.

George A. Loud
Reg. No. 25,814

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LORUSSO, LOUD & KELLY
3137 Mount Vernon Avenue
Alexandria, VA 22305

(703) 739-9393